

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

v.

ROBERT MENENDEZ, *et al.*,

Defendants.

Criminal Action No. 23-490 (SHS)

**[PROPOSED] ORDER GRANTING
DEFENDANT'S OMNIBUS PRETRIAL
MOTIONS**

THIS MATTER having come before the Court upon the omnibus pretrial motions of Defendant Wael Hana, by Gibbons P.C. (Lawrence S. Lustberg, Esq., appearing), and the Court having considered the submissions of the parties and the arguments of counsel, and for good cause shown:

IT IS on this _____ day of _____ 2024,

ORDERED that Defendant's Omnibus Pretrial Motions shall be and are hereby **GRANTED**; and it is further

ORDERED that Counts 1, 2, and 4 of the Second Superseding Indictment (ECF No. 115) are hereby **DISMISSED**; or, in the alternative, is it hereby

ORDERED that Paragraph 15 is **STRICKEN FROM THE INDICTMENT**; and it is further

ORDERED that a bill of particulars shall be and is hereby **GRANTED**; and it is further

ORDERED that evidence seized pursuant to search warrants 20 Mag. 13682; 21 Mag. 11317; and 22 Mag. 242 issued to Wael Hana's electronic accounts is **SUPPRESSED AND EXCLUDED FROM EVIDENCE** ; and it is further

ORDERED that the a *Franks* hearing shall be held, on a date to be set by the Court, with regard to whether evidence obtained as a result of search warrants 22 Mag. 10186; 23 Mag. 370; 23 Mag. 1206; and 23 Mag. 6481 should be suppressed.

Honorable Sidney H. Stein
United States District Judge